



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL4M, OLC, MNDC, FFT

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 49;
2. An Order for the Landlord’s compliance - Section 62;
3. A Monetary Order for compensation - Section 67; and
4. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. During the Hearing the Parties reached a settlement agreement. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the Parties understood the nature of this full and final settlement of this matter.

Agreed Facts

The tenancy started in 2010. Rent of \$880.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$425.00 as a security deposit. On June 26, 2018 the Tenant received a notice to end tenancy for landlord’s use (the “Notice”). The stated reason for the Notice is that the landlord intends to renovate the unit in a manner that requires the unit to be vacant.

Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

The Parties mutually agree as follows:

- 1. The tenancy will end and the Tenant will vacate the unit no later than 1:00 p.m. on October 31, 2018;**
- 2. The Landlord will pay the Tenant, no later than October 15, 2018, the sum of \$880.00; and**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Landlord an order of possession and I grant the Tenant a monetary order on the above terms.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective 1:00 p.m. on October 31, 2018.

I grant the Tenant an order under Section 67 of the Act for **\$880.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: August 31, 2018

Residential Tenancy Branch